

Message Text

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21

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TO AMEMBASSY BANGKOK

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E.O. 11652: N/A

TAGS: SNAR, TH

SUBJECT: EXTRADITION OF TONY MA, ET AL

REF: BANGKOK 19520

1. WE UNABLE TO GIVE ASSURANCE OF RECIPROCITY BECAUSE
UNDER U.S. LAW EXTRADITION IS LIMITED TO TERMS OF TREATY.

2. EMBASSY SHOULD RESPOND TO NOTE DESCRIBED REFTTEL AS
FOLLOWS:

A) U.S. AS MATTER OF POLICY MAKES NO DISTINCTION BETWEEN
ITS OWN NATIONALS AND FOREIGNERS FOR PURPOSES OF EXTRADI-
TION.

B) U.S. HOWEVER HAS NO LEGAL AUTHORITY TO EXTRADITE ANYONE
EXCEPT AS PROVIDED IN TREATY.

C) U.S.-SIAM TREATY OF EXTRADITION DOES NOT COVER
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NARCOTICS OFFENSES AND DOES NOT CONTAIN EITHER OBLIGATION

OR AUTHORITY TO EXTRADITE ONE'S OWN NATIONALS.

D) THEREFORE, UNDER PRESENT TREATY U.S. WOULD BE UNABLE
TO EXTRADITE A U.S. NATIONAL, OR ANYONE ELSE, TO THAILAND
FOR NARCOTICS OFFENSES. KISSINGER

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